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Attorneys for Defendants
GUIDANT CORPORATION, GUIDANT SALES
CORPORATION, CARDIAC PACEMAKERS, INC.,
and BOSTON SCIENTIFIC CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(OAKLAND DIVISION)

FRANCIS MCCONVILLE and VIRGILIO
RABUCO,

Plaintiffs,

vs.

GUIDANT CORPORATION; GUIDANT
SALES CORPORATION; CARDIAC
PACEMAKERS, INC.; BOSTON SCIENTIFIC
CORPORATION; ALTA BATES SUMMIT
MEDICAL CENTER; and Does 1 through 100,
inclusive,

Defendants.

Case No. C 06-05151 WDB

**AMENDED STIPULATION AND
[PROPOSED] ORDER TO CONTINUE
PRETRIAL DEADLINES**

IT IS HEREBY STIPULATED by and between the parties through their designated counsel that the deadline for Defendants to answer or otherwise respond to Plaintiffs' Complaint in this action should be extended. Defendants seek to transfer this case to the Multi-District Litigation proceeding established in the United States District Court, District of Minnesota ("MDL court"), and Plaintiffs have indicated that they will soon be filing a motion to remand this case back to state court. Accordingly, the following deadlines will be modified as follows:

1 The deadline for Defendants to file an answer or otherwise respond to Plaintiffs' complaint
2 shall be as follows:

3 (a) if the case is not remanded to state court, and is transferred to the MDL court, any
4 response will be due pursuant to a deadline set by the MDL court;

5 (b) if the case is not remanded and also is not transferred to the MDL court, any response
6 will be due thirty (30) days after the decision by the JPML denying transfer to the MDL court; or

7 (c) if the case is remanded, any response will be due thirty (30) days after the remand
8 decision by this Court.

9 The parties also stipulate that the November 20, 2006, case management conference will be
10 continued for at least thirty (30) days until December 21, 2006. at 3:00 p.m. All other deadlines will be set
11 pursuant to Federal and local rule.

12 IT IS SO STIPULATED.

13
14 DATED: August 31, 2006

Respectfully submitted

15
16 SHOOK, HARDY & BACON L.L.P.

17
18 By: 

DANA N. GWALTNEY
SARA J. ROMANO

19
20 Attorneys for Defendants
GUIDANT CORPORATION, GUIDANT SALES
21 CORPORATION, CARDIAC PACEMAKERS, INC.,
and BOSTON SCIENTIFIC CORPORATION

22 DATED: August __, 2006

Respectfully submitted

23
24 GILLIN, JACOBSON, ELLIS & LARSEN

25
26 By: _____

LUKE ELLIS
KRISTIN LUCEY

27
28 Attorneys for Plaintiff SALLIE EVERETT,
individually and as successor in interest to decedent,
ALBERT EVERETT

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9 The parties also stipulate that the November 20, 2006, case management conference will be
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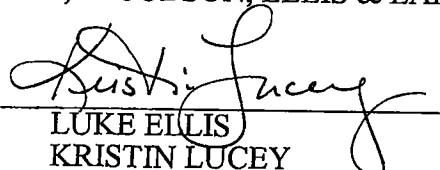
17 By: _____
18 DANA N. GWALTNEY
19 SARA J. ROMANO

20 Attorneys for Defendants
21 GUIDANT CORPORATION, GUIDANT SALES
CORPORATION, CARDIAC PACEMAKERS, INC.,
and BOSTON SCIENTIFIC CORPORATION

22 DATED: August 31, 2006

23 Respectfully submitted

24 GILLIN, JACOBSON, ELLIS & LARSEN

25 By: 
26 LUKE ELLIS
27 KRISTIN LUCEY

28 Attorneys for Plaintiff SALLIE EVERETT,
individually and as successor in interest to decedent,
ALBERT EVERETT

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Dated: 8/31, 2006

/s/ Wayne D. Brazil

THE HONORABLE WAYNE D. BRAZIL